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Atty Docket No. 021674-000251US

PTO FAX NO.: 1-703-872-9306

ATTENTION:

Examiner Jeffrey C. Mullis

Group Art Unit 1711

## OFFICIAL COMMUNICATION

### FOR THE PERSONAL ATTENTION OF

## **EXAMINER Jeffrey C. Mullis**

#### CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following documents in re Application of David S. Soane, Michael R. Houston, Application No. 10/083,316, filed February 25, 2002 for NEAR-NET-SHAPE POLYMERIZATION PROCESS AND MATERIALS SUITABLE FOR USE THEREWITH are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

#### **Documents Attached**

- 1. Fee Transmittal for FY 2005 with fee authorization
- 2. Terminal Disclaimer

Number of pages being transmitted, including this page: 4

Dated: May 13, 2005

Mary Green

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TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, Eighth Floor San Francisco, CA 94111-3834 Telephone: 415-576-0200

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office,

Fax No. 1-703-872-9306 on

<u>PATENT</u>

Attorney Docket No.: 021674-000251US

Client Ref. No.: ZMSI-001P4-3

TOWNSEND and TOWNSEND and CREW LLP

H. Men

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David S. SOANE et al.

Application No.: 10/083,316

Filed: February 25, 2002

For: NEAR-NET-SHAPE POLYMERIZATION PROCESS AND MATERIALS SUITABLE

FOR USE THEREWITH

Customer No.: 20350

Confirmation No. 8215

Examiner: Jeffrey C. Mullis

Technology Center/Art Unit: 1711

TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

On behalf of the Applicants and the assignee of this patent application, the undersigned attorney of record hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory terms defined in 35 U.S.C. §§154 to 156 and 173 of U.S. Patent No. US 6,380,314 B1. It is further agreed that any patent granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. US 6,380,314 B1 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee(s), its successors and assigns.

In making the above disclaimer, there is no intent to disclaim the terminal part of any patent granted on the instant application that would extend to the expiration dates of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of U.S. Patent No. US 6,380,314 B1, as presently shortened by any terminal disclaimer, in the

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SOANE et al., Application No. 10/083,316, filed February 25, 2002

Examiner: Mullis, Jeffrey C.; Art Unit 1711 Terminal Disclaimer over US 6,380,314 PATENT

event that either patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned certifies that the assignee is indeed the owner of the entire right, title and interest in the instant patent application and in U.S. Patent No. US 6,380,314 B1. The undersigned has reviewed all documents in the chain of title of the instant patent application and of U.S. Patent No. US 6,380,314 B1, and certifies that, to the best of undersigned's knowledge and belief, title to both is in the assignee.

The undersigned hereby declares that all statements made herein of his own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

M. Henry Heines Reg. No. 28,219

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MAY 1 3 2005

PTO/SB/17 (12-04)

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Effective on 12/08/2004.  Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known				
FEE TRANSMITTAL		Application Number	10/083,316			
l		Filing Date	February 25, 2002			
For FY 2005		First Named Inventor	Soane, David S.  Jeffrey C. Mullis			
Applicant claims small entity stat	Examiner Name	1711				
TOTAL AMOUNT OF PAYMENT	(\$) 130	Art Unit		00054110		
TOTAL AMOUNT OF PATMENT	Attorney Docket No.	021674-000251US				
METHOD OF PAYMENT (check all that apply)						
Check Credit Card Money Order None Other (please identify):						
Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP						
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)						
Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee						
Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments						
WARNING: information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038						
FEE CALCULATION						
1. BASIC FILING, SEARCH, AND EXAMINATION FEES						
	FILING FEES SEARCH FEES EXAMINATION FEES					
Application Type Fee	Small Entity (\$) Fee (\$) Fee	<u>Small Entity</u> (\$) Fee (\$) <u>F</u>	Small I oc (\$) Fee		Fees Paid (\$)	
Utility 300			200 100	0		
Design 200			130 6	5		
Plant 20			160 . 8	0		
Reissue 30			600 30	0	<del></del>	
Provisional 20		0 0	0	0		
2. EXCESS CLAIM FEES					Small Entity	
Fee (\$) Fee (\$)						
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent 50 25						
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent 200 100 Multiple dependent claims 360 180						
• •		e Paid (\$) Multiple Dep		endent Claim		
-20 or HP =	x =		Fee (\$)	<u>Fee Pald</u>	<u>(\$)</u>	
HP = highest number of total claims peld to Indep. Claims Extra C		e Paid (\$)		<del></del>	<del>_</del>	
HP = highest number of independent claims paid for, if greater than 3						
3. APPLICATION SIZE FEE  If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity)						
for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
Total Sheets Extra Sheete Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)						
- 100 = / 50 = (round up to a whole number) x =						
4. OTHER FEE(S) Fees Paid (\$)						
Non-English Specification, \$130 fee (no small entity discount)						
Other: Terminal Disclaimer 130						
SUBMITTED BY						
Signature (////	rely Ofin	Registration No. (Attomey/Agent) 28,2	219	Telephone	415-576-0200	
Name (Print/Type) M. Henry Hel		My 13, 2005 Date				

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